



STATE OF DELAWARE

**PUBLIC SERVICE COMMISSION**  
861 SILVER LAKE BLVD.  
CANNON BUILDING, SUITE 100  
DOVER, DELAWARE 19904

TELEPHONE: (302) 736-7500  
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May 13, 2019

Nashim Dholasaniya  
Rushmore Energy, LLC  
52 Sugar Creek Ctr Blvd.  
Suite 200  
Sugar Land, TX 77478

**Re: In The Matter of the Rushmore Energy, LLC For A Certificate to Provide Electric Supply Services within the State Of Delaware (Submitted March 19, 2019) - PSC Docket No. 19-0152**

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Dear Mr. Dholasaniya,

The Delaware Public Service Commission ("Commission") is in receipt of the application (the "Application") submitted by Rushmore Energy, LLC ("Company") for certification to provide electric supply services in Delaware. The Application is incomplete as filed and additional information is necessary to complete the minimum filing requirements ("MFRs"), as indicated below:

**Section 2.2.2 State of Formation Certificates**

- A business license from the state of formation is a requirement.
  - Please provide proof from the Texas Secretary of State's Office that business licenses are not provided and required for companies formed in the state and apply for a waiver of this requirement.

**Section 2.6 Public Notice**

- Please submit the affidavits of publication to the Commission.

**Section 6.0, 7.0, 8.0 Contract and Contract Summaries**

- The Company has not submitted an actual contract for review.
  - Please provide a sample contract that a customer would be required to sign in order to initiate service.
- On the variable rate contract summary, in the *Price Structure and Term Length* section, please add the following "You can find our current and next month variable price by calling Rushmore Energy at (800) 590-7295 during business hours (Monday-Friday, 9:00am-5:00pm EST) or by visiting the company website at [www.RushmoreEnergy.com](http://www.RushmoreEnergy.com)."
- On the variable rate contract summary, in the *Generation/Supply Price* section, please add the following sentence after the first sentence of the section: "There is no limit on how the variable rate may change from one billing cycle to the next."
- On the terms and conditions, add the base monthly fee to Section 5 (*Penalties, Fees, and Exceptions*).
  - Disclose the amount of the base monthly fee in dollars.
- On the terms and conditions, Section 9, please move the following sentence to the end of the section: "You may rescind your authorization at any time by providing written notice thereof to Rushmore Energy."

**Section 2.1.6 Verification of Application**

- Please provide a signed, sworn statement of verification for each subsequent filing in this docket.

The Company may request that the Commission provide confidential treatment to some or all of the information contained in a document. When requesting confidential treatment for documents filed with the Commission, please simultaneously file a redacted, public version of the same document and an attestation that the information is not subject to inspection or disclosure to the public.

Staff respectfully requests a response to this notice of deficiency on or before June 14, 2019. Please note that 26 *Del. Admin. C.* § 3001 (the “Supplier Rules”) section 2.4 provides that incomplete applications will be closed four (4) months after the filing date. If the application is not completed within the four (4) month time frame the applicant forfeits their application filing fee and must resubmit the application with an additional filing fee. The responses and verifications can be uploaded as a subsequent filing in DelaFile under Docket No 19-0152.

Should you have any questions or if I can be of any assistance you may contact me at (302) 736-7539 or send questions by email to [Clishona.Marshall@state.de.us](mailto:Clishona.Marshall@state.de.us).

Sincerely,

*Shona Marshall*

Shona Marshall  
Public Utility Analyst

CC: Ms. Donna Nickerson, Commission Secretary  
Ms. Malika Davis, Public Utility Analyst